



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Kenneth Kump

Application No.: 09/344,190

Filed: June 24, 1999

For: METHOD AND APPARATUS
FOR DETERMINING A
DYNAMIC RANGE OF A
DIGITAL MEDICAL IMAGE

Examiner: Duy M. Dang

Group Art Unit: 2624

Confirmation No.: 8765

Attorney Docket No.: 15-XZ-4971
(12437US01)

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (FAX No. (571)273-2885) on March 23, 2007.

Christopher N. George

Signature

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner Dang:

The Applicant respectfully requests that the following Comments on the reasons for allowance be added to the file.

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Attorney Docket No. 15-XZ-4971 (12437US01)

REMARKS

Claims 1, 3-7, 9-12, 15-25 and 27 are allowed. The Applicant appreciates the Examiners allowance of these claims and respectfully submits the following Comments on the Statement of Reasons for Allowance:

The Applicant respectfully submits that the Reasons for Allowance may potentially import interpretations into the claims in relation to the prior art that are unnecessarily limited and may place unwarranted interpretations upon the claims.

Such a characterization of the claims in view of the prior art may not properly take into account the Applicant's claimed invention as reflected in the claims, the specification and the prosecution history of the present application. Applicant believes that the claims, the specification, and the prosecution history in their entirety provide an adequate basis for the allowability of the claims.

Additionally, specific parts of the Examiner's reasons for allowance may pertain to limitations appearing in some of the claims, but not other claims. The Applicant respectfully submits that the Examiner has thoroughly examined the claims, recognized the limitations appearing or not appearing in each of the claims, and properly found the claims to be allowable based on the record.

Furthermore, the Applicant respectfully submits that additional reasons may distinguish the allowed claims from the cited art. For example, none of the cited art discloses computing dynamic range characteristics based on the dynamic range, wherein the dynamic range characteristics are capable of adjusting the digital medical image.

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Additionally, none of the cited art teaches or suggests determining whether a digital medical image within at least two bands include at least one non-clinical region. The cited art does not identify clinical and non-clinical regions within a digital medical image. The cited art does not disclose determining whether a digital medical image within at least two bands includes at least one non-clinical region. The cited art also does not contemplate masking non-clinical regions or determining the dynamic range of a clinical region.

The Applicant respectfully submits that the pending claims were correctly distinguished from the prior art and are indeed allowable on other grounds, as shown by the claims, the specification, and the prosecution history.

CONCLUSION

If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of GTC, Account No. 070845.

Respectfully submitted,

Date: March 23, 2007


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FROM MCANDREWS, HELD, & MALLOY.

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TO: **ISSUE FEE**
Examiner Dang, Duy M.
Application No. 09/344,190
Attorney Docket No. 15-XZ-4971

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FROM: Christopher N. George
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DATE: March 23, 2007
Matter: Our File No.: 1194-12437US01
P1

No. pages sent
including cover page: 5

MESSAGE:
Original documents will: X Not be sent

I hereby certify that the attached Part B - Fee(s) Transmittal and Comments on Statement of Reasons for Allowance are being facsimile transmitted to the United States Patent and Trademark Office on March 23, 2007.


Christopher N. George

If you do not receive entire transmission, please contact Celia Bahena at 312/775-8000.

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